



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Attn.: Carol Park, Individual Owner
Eastern Gas & Water Investment Company, LLC
5 Radnor Corporate Center, Suite 400
Wayne, PA 19087

Re: Chestertown Gas Company Site, Chestertown, Kent County, Maryland

Dear Ms. Park:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the Chestertown Gas Company Site in Kent County, Maryland ("Site"). Pursuant to the authority of Section 104 (e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), the Eastern Gas & Water Investment Company, LLC ("you" or "EGWIC") is required to furnish all information and documents in its possession, custody, or control, or in the possession, custody, or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above referenced facility or the surrounding area.

The Chestertown Gas Company Site is located at 813 N. High Street Chestertown, Maryland. According to information in EPA's files, the Chestertown Gas Company ("CG") owned and operated a gas plant on the Site from approximately 1912-1945. Chestertown Shorgas Company ("CS") owned and operated the Site from 1945-1990, at which time it may have transferred the Site to Synergy Gas Corporation ("Synergy.") EPA further believes that:

- In or around 1955, CS may have been acquired by Eastern Gas and Water Investment Co., a Pennsylvania corporation ("EGWIC PA").
- In 1958, EGWIC PA may have merged with a Maryland corporation (surviving entity hereinafter referred to as "EGWIC MD").

- In 1995, EGWIC MD may have merged with a Delaware corporation (surviving entity hereinafter referred to as “EGWIC DE”).
- In or around 2012, EGWIC DE may have been converted to a Delaware limited liability corporation (becoming “EGWIC DE LLC”).
- In May 2013, Chesapeake, through its Sandpiper Energy, Inc. subsidiary, may have purchased operating assets of Eastern Shore Gas Company (“ESGC”) and entered into an agreement to purchase propane from EGWIC DE LLC.

Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below.

INSTRUCTIONS

1. If asserting a business confidentiality claim on information submitted in response to this request, please clearly mark such information by either stamping or using any other such form of notice that such information is trade secret, proprietary, or plant confidential.
2. Please provide a separate narrative response to each and every question and subpart of a question set forth in this information request. Note that the terms “you” and “Respondent” mean the addressee of this request, and the addressee’s officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.
3. Precede each response with the number of the question to which it corresponds.
4. For each question contained herein, identify all persons consulted in the preparation of the answer. Also provide their titles, areas of responsibility, current addresses, and telephone numbers.
5. For each question contained herein, identify all documents consulted, examined, or referred to in preparation of the answer or that contain information responsive to the question, and provide true and accurate copies of all such documents.
6. For each document produced in response to this information request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
7. For each question contained herein, if information or documents responsive to this

information request are not in your possession, custody, or control, state that fact and provide the names, titles, areas of responsibility, addresses, and telephone numbers of the persons from whom such information or documents may be obtained.

8. If information or documents not known or not available to you as of the date of submission of a response to this information request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.
9. Provide the name, title, address, and telephone number of the person answering these questions on behalf of EGWIC.
10. For each question, provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons consulted in the preparation of the answers.
11. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide the following:
 - a. Your company's document retention policy;
 - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate dates of destruction;
 - c. A description of the type of information that would have been contained in the documents.

DOCUMENT AND INFORMATION REQUESTS

1. Please describe in detail and provide documents sufficient to identify the history of the EGWIC business entity you own or manage or represent. Additionally, please identify the corporate relationship and/or affiliation between CG, CS, Synergy, EGWIC PA, EGWIC MD, EGWIC DE, EGWIC DE LLC and Chesapeake at any time such a relationship and/or affiliation and/or business transaction existed between 1912 and the present.
2. Please identify the nature of CG's operations at the Site between 1912 and 1945. Your response should include the following:
 - a. A description of the products produced at the Site;
 - b. A description of the services provided at the Site;
 - c. A description of the process(es) used to produce products at the Site;

- d. A description of the raw materials stored on Site used in production;
 - e. A description of leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site;
 - f. A description of all actions taken to address leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site; and
 - g. Copies of all documents which refer or relate to leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site and the actions taken in response thereto.
3. Please identify the nature of CS's operations at the Site between 1945 and 1990. Your response should include the following:
- a. A description of the products produced at the Site;
 - b. A description of the services provided at the Site;
 - c. A description of the process(es) used to produce products at the Site;
 - d. A description of the raw materials stored on Site used in production;
 - e. A description of leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site;
 - f. A description of all actions taken to address leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site; and
 - g. Copies of all documents which refer or relate to leaks, spills, and releases of hazardous substances and pollutants or contaminants at the Site and the actions taken in response thereto.
4. Documents which refer or relate to CG's acquisition of the Site.
5. Documents which refer or relate to CS's acquisition of the Site.
6. Documents which refer or relate to the 1945 transaction under which CS took ownership of the Site.
7. Documents which refer or relate to any change in ownership of the Site between 1945 and 1990.
8. Documents which refer or relate to any transfer of CS's liabilities pertaining to the Site at any time between 1945 and 1990.
9. Documents which refer or relate to the CS transaction with Synergy in 1990, including, but not limited to, documents indicating which of CS's liabilities, if any, were transferred as part of that transaction.
10. Documents which refer or relate to any transfer of CS's liabilities pertaining to the Site at any time between 1990 and the present.

11. Please describe in detail and provide documents which refer or relate to the transaction in 2013 under which Chesapeake acquired EGWIC DE and ESG or acquired or assumed any of the assets or liabilities of those companies, including any documents that identify any assets and liabilities that were transferred.
12. To the extent not already covered by your response to Question 1 above, all documents which refer or relate to the merger in 2014 between EGWIC DE and CS, including, but not limited to documents reflecting changes in the companies' assets and liabilities.

If you have any information about other parties who may have information which may assist the Agency in its investigation of the Site or who may be responsible for the generation of, transportation to, or release of hazardous substances at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

EPA may contract with one or more independent contracting firms {see attached list of EPA contractors and cooperative agreement grantees) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employment Program (SEE Enrollees). The SEE program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for agency personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to CERCLA, 42 U.S.C. § 9604 (e) (7) and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed. Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in the attachment, you must notify EPA in writing at the time you submit such documents.

You must respond in writing to this required submission of information within **thirty (30) calendar days** of your receipt of this letter. The response must be signed by an

appropriately authorized corporate official.

If, for any reason, you do not provide all information responsive to this letter, in your answer to EPA please (1) describe specifically what was not provided and (2) provide to EPA an appropriate reason why the document(s) was not provided.

All documents and information should be sent to:

Benjamin M. Joseph (3HS62)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

If you have any questions concerning this matter, please contact Benjamin Joseph at (215) 814-3373 or Andrew Goldman, Senior Assistant Regional Counsel, at (215) 814-2487.

Sincerely,

Joanne Marinelli, Chief
Cost Recovery Branch

cc: Andrew Goldman (3RC41)
Ben Joseph (3HS62)

Enclosure B

[rev. 2/2017]

List of Contractors That May Review Your Response

Emergint Technologies, Inc.

Contract # EP-W-11-025

Subcontractor: Booz-Allen & Hamilton

Arctic Slope Management Services

Contract # EP-W-17-011

Subcontractor: Booz-Allen & Hamilton

CDM-Federal Programs Corporation

Contract # EP-S3-07-06

Subcontractors: CDI-Infrastructure,
LLC d/b/a L.R. Kimball
Avatar Environmental LLC
Terradon Corporation

Cherokee Nation Assurance, LLC

Contract #EP-S3-14-01

**EA Engineering, Science and Technology,
Inc.**

Contract #EP-S3-07-07

Subcontractor: URS

Eisenstein Malanchuck, LLP

Contract #EP-W-13-006

Subcontractors: R. M. Fields
International, LLC

Hydrogeologic (HGL)

Contract #EP-S3-07-05

Subcontractor: CH2MHill
Sullivan International

Weston Solutions

Contract #EP-S3-1502

Tech Law, Inc. (Removal Program)

Contract #EP-S3-1503

Tetra Tech NUS, Inc.

Contract #EP-S3-07-04

Kemron Environmental Services, Inc.

Contract #EP-S3-12-01,

Subcontractor: AECOM Technical Services,
Inc.

**Guardian Environmental Services
Company, Inc.**

Contract #EP-S3-12-02,

Subcontractors: Aerotek, Inc.,
Tetra Tech, Inc.

Environmental Restoration, LLC

Contract # EP-S3-12-03

Subcontractors: Aerotek, Inc
Haas Environmental, Inc,
Hertz

Northstar Federal Services, Inc.

Contract # EP-S3-12-05

ICF International

Contract # EP-BPA-12-W-0003

Cooperative Agreements

National Association of Hispanic Elderly

CA# CQ-835398

National Older Workers Career Center

CA# Q-835621